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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/588,344	06/07/2000	Yasuharu Aoki	Q59305	8131

7590 12/23/2003

Sughrue Mion Zinn MacPeak & Seas PLLC  
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EXAMINER
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NGUYEN, PHUOC H

ART UNIT	PAPER NUMBER
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2143

DATE MAILED: 12/23/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/588,344

Applicant(s)

AOKI ET AL.

Examiner

Phuoc H. Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 15 September 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-35 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 34 and 35 is/are allowed.
- 6) ☐ Claim(s) 1-3, 5-8, 10-24, 28 and 33 is/are rejected.
- 7) ☒ Claim(s) 4, 9, 25-27 and 29-32 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. §§ 119 and 120**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☒ All b) ☐ Some \* c) ☐ None of:  
1. ☒ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.  
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_ 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Response to Amendment***

1. This office action is in response to the amendment filed on September 15, 2003 (Paper No. 4). Previous office action contained claims 1-20. Applicant amended claims 1,6,11, and 16, and added claims 21-35. Amendment filed on September 15, 2003 have been entered and made of record.

### ***Response to Arguments***

2. Applicant's arguments with respect to claims 1-35 have been considered but are moot in view of the new ground(s) of rejection.

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-3,5-8,10-22,24,28, and 33 rejected under 35 U.S.C. 102(e) as being anticipated by Jebens et al. U.S. Patent 6,321,231.

5. Referring to claim 1, and 6, Jebens reference disclose the server device (host site 10, hot-folding system) constantly monitors prescribed folders (folders) in the server device (Figures 10A, and 10B; col. 18, lines 55-56); and when existence of a command file which instructs

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execution of a designated process is recognized in the prescribed folders, the process instructed by the command file is performed (col. 10, lines 18-37; col. 18, lines 55-66; and col. 19, lines 14-35).

6. Referring to claims 2, and 7, Jebens reference disclose the client device transfers the command file (user drops files on transport folder) to the server device (Figures 10A, and 10G; col. 22; lines 43-66).

7. Referring to claims 3, and 8, Jebens reference disclose the client server system configures an OPI system (Figure 4C; col. 10, lines 53-56), which creates low resolution image data for editing from high resolution image data, performs an editing operation by using the low resolution image data, and replaces the low resolution image data with the high resolution image data at the time of output, and the command file commands execution of a designated process which is performed in the OPI system (Figures 1, and 4C; col. 5, lines 11-35).

8. Referring to claims 5, and 10, Jebens reference disclose the client device performs the editing operation (col. 5, lines 15-35).

9. Referring to claim 21, Jebens reference disclose the client device copies the command file to the server device (Figures 10, and 10G).

10. Referring to claim 22, Jeben reference disclose command file comprises authentication information comprising a request to manage the prescribed folders (Figures 10C, 10D, 10F, and 10G).

11. Referring to claim 24, Jebens reference disclose a file name of corresponding high resolution image data, a data location path of the high resolution image data, a folder ID of the prescribed folder in which the high resolution image is stored, and a format information of the

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high resolution image data (col. 2, last paragraph though col. 3, 1<sup>st</sup> paragraph; and col. 8, 2<sup>nd</sup> paragraph).

12. Referring to claim 28, Jebens reference disclose an OPI daemon of the server device constantly monitors the prescribed folders of the server device (col. 10, lines 18-37; col. 18, lines 55-66; and col. 19, lines 14-35).

13. Referring to claim 33, Jebens reference disclose the client device is a processor (Figure 1, 12) and the client provides the command file to the server device (Figure 10A).

14. Referring to claims 11, and 16, Jebens reference disclose a folder monitoring device to monitor prescribed folders in the server device (Figures 10A, and 10B; col. 18, lines 55-56); and a file transfer device to transfer a command file which instructs execution of a designated process to the prescribed folders monitored by the folder monitoring device, a process performing device to perform a process instructed by the command file on the server device when the command file is recognized in the prescribed folders (col. 10, lines 18-37; col. 18, lines 55-66; and col. 19, lines 14-35).

15. Referring to claims 12, and 17, Jebens reference disclose a data replacing device to replace low resolution image data for editing created from high resolution image data with the high resolution image data (Figures 1, and 4C; col. 5, lines 11-35).

16. Referring to claims 13, and 18, Jebens reference disclose the client server system configures an OPI system, which creates low resolution image data for editing from high resolution image data, performs an editing operation by using the low resolution image data, and replaces the low resolution image data with the high resolution image data at the time of output,

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and the command file instructs execution of a designated process which is performed in the OPI system (Figures 1, and 4C; col. 5, lines 11-35).

17. Referring to claims 14, and 19, Jebens reference discloses the client device performs the editing operation (col. 5, lines 15-35).

18. Referring to claims 15, and 20, Jebens reference discloses the server device replaces the low resolution image data with the high resolution image data at the time of output (Figures 1, and 4C; col. 5, lines 11-35).

***Claim Rejections - 35 USC § 103***

19. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

20. Claim 23 rejected under 35 U.S.C. 103(a) as being unpatentable over Jebens in view of Aldus Corporation, "OPI<sup>TM</sup> Open Prespress Interface Specification", 22 September 1993, pages 5-15.

Jeben reference disclose an OPI system; however, Jeben reference fail to teach the OPI system comprises Postscript comments.

Aldus Corporation reference discloses the OPI system comprises Postscript comments (page 6).

It would have been obvious to one of the ordinary skill in the art at the time of the

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invention was made to incorporate Aldus Corporation's teaching into Jebens's method to include the Postscript comments in OPI system to allows a page-layout program to use low or medium resolution TIFF images for substitute a high resolution TIFF or other image when the final image data are generated to minimize network traffic and image storage requirements.

***Allowable Subject Matter***

21. Claims 34, and 35 are allowed.

22. Claims 4,9,25-27, and 29-32 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

23. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

***Conclusion***

24. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

**Chen et al. Pub. No. US 2002/0057441**

**Kumpt et a. U.S. Patent 6,289,371**

**Nakamatsu et al. U.S. Patent 6,078,617**

**Leverly et al. U.S. Patent 6,362,895**

**Crosby et al. U.S. Patent 6,507,848**

**Lee et al. U.S. Patent 6,658,167**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phuoc H. Nguyen whose telephone number is 703-305-5315. The examiner can normally be reached on Mon -Thu ( 7AM-4:30PM ) and off every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A Wiley can be reached on 703-308-5221. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-7239 for regular communications and 703-746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.




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Phuoc H. Nguyen  
Examiner  
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December 12, 2003



DAVID WILEY  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100